

## Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR CONTROLLING A PACEMAKER USING RESPIRATION

the specification of which

X is attached hereto. | was filed on \_\_\_\_\_, as United States Application Serial No. \_\_\_\_\_

or PCT International Application No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority claimed			
(Number)	(Country)	Day/month/year filed	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

(Application No.)	(Filing Date)
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)	(Filing date)	(Status - patented, pending, abandoned)	
And I hereby appoint	George Gottlieb (Reg.No. 22,035) Michael I. Rackman (Reg.No. 20,639) James Reisman (Reg.No. 22,007) Barry A. Cooper (Reg.No. 25,204) David S. Kashman (Reg.No. 28,725) Allen I. Rubenstein (Reg.No. 27,673) Jeffrey M. Kaden (Reg.No. 31,268)		Amy B. Goldsmith (Reg. No. 33,700) Norbert P. Holler (Reg.No. 17,816) Michael R. Gilman (Reg.No. 34,826) Tiberiu Weisz (Reg. No. 29,876) Malcolm J. Romano (Reg.No. 28,752) Leslie S. Miller (Reg.No.30,662) Lisa P. Weinberg (Reg.No. 33,290) Harold C. Schloss (Reg.No. 37,439)

whose address is c/o Gottlieb, Rackman & Reisman, P.C., 270 Madison Avenue, New York NY 10016 (telephone (212) 684-3900), jointly and severally, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct all correspondence and telephone calls to: Tiberiu Weisz, Esq. at the address and telephone number shown above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor	<u>Saul E. Greephut</u>	Date <u>20-October-1987</u>
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Full name of second joint inventor, if any		Date
Inventor's Signature		
Residence		
Citizenship		
Post Office Address		